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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH WALPOLE,

Defendant.

CASE NO. 1:22-CR-00161-JLT-SKO

STIPULATION REGARDING CONTINUANCE OF
STATUS CONFERENCE; FINDINGS AND
ORDER

DATE: November 9, 2022

TIME: 1:00 p.m.

COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. On August 23, 2022 the defendant was arraigned before this Court and ordered temporarily detained.
2. On August 30, 2022, this Court held a continued detention hearing for the defendant and ordered him detained.
3. By previous stipulation and order, this matter was set for a status hearing before this Court on November 9, 2022 and time was excluded under the Speedy Trial Act until November 9, 2022.
4. By this stipulation, both parties now move to continue the status hearing until January 11, 2023.
5. The parties agree and stipulate, and request that the Court find the following:
 - a) The parties stipulate that the delay is required to allow the defense reasonable time for preparation and review of discovery, and for the government's continuing investigation

1 of the case. The parties further agree that the interests of justice served by granting this
2 continuance outweigh the best interests of the public and the defendant in a speedy trial. 18
3 U.S.C. § 3161(h)(7)(A).

4 b) The requested date is a mutually agreeable date for both parties.

5 c) The parties agree that good cause exists for the extension of time, and that the
6 extension of time would not adversely affect the public interest in the prompt disposition of
7 criminal cases. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. §
8 3161, et seq., within which trial must commence, the time period of November 9, 2022 to
9 January 11, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. §§ 3161 (h)(1)G),
10 3161(h)(7)(A), and 3161(h)(7)(B)(i) and (iv) because it results from a continuance granted by the
11 Court at the parties' request on the basis of the Court's finding that the ends of justice served by
12 taking such action outweigh the best interest of the public and the defendant in a speedy trial.

13 d) Nothing in this stipulation and order shall preclude a finding that other provisions
14 of the Speedy Trial Act dictate that additional time periods are excludable from the period within
15 which a trial must commence.

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17 IT IS SO STIPULATED.

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20 Dated: November 4, 2022

PHILLIP A. TALBERT
United States Attorney

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22 /s/ ALEXANDRE DEMPSEY
ALEXANDRE DEMPSEY
Assistant United States Attorney

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25 Dated: November 4, 2022

/s/ MIKE MCKNEELY
MIKE MCKNEELY
Counsel for Defendant
JOSEPH WALPOLE

ORDER

IT IS SO ORDERED that the status conference is continued from November 9, 2022, to **January 11, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of November 9, 2022, through January 11, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. §§ 3161 (h)(1)G), 3161(h)(7)(A), and 3161(h)(7)(B)(i) and (iv). IT IS SO ORDERED.

Dated: **November 4, 2022**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE